

estrogenic substance)" were false and misleading since they represented, suggested, and created the impression that the article contained a hormone and that it would exert a beneficial hormone-like or beneficial estrogenic effect upon the body when used according to the directions "Apply gently $\frac{1}{2}$ heaping teaspoonful at bedtime. Leave on overnight." The article did not contain a hormone and would not produce a beneficial hormone-like or beneficial estrogenic effect when used as directed.

DISPOSITION: April 14, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2176. Misbranding of Theradophilus Culture. U. S. v. 14 Cases and 6 Bottles * * *. (F. D. C. No. 20555. Sample No. 59441-H.)

LIBEL FILED: July 24, 1946, Western District of Washington.

ALLEGED SHIPMENT: On or about February 14 and 19 and April 23 and 27, 1946, by Therapy, Limited, from Pasadena, Calif.

PRODUCT: 14 cases, each containing 24 bottles, and 6 bottles of *Theradophilus Culture* and a number of booklets entitled "Therapy Supplementary Foods" at Seattle, Wash. Examination showed that the article contained not more than 1 million viable acidophilus organisms per cubic centimeter.

LABEL, IN PART: "Theradophilus A Culture of Bacillus Acidophilus in Soya Bean Medium Contents 8 Fl. Oz. * * * Directions: Take one tablespoonful in half a glass of water at least half an hour before breakfast and again at bedtime. For infants: One teaspoonful in milk, once a day."

NATURE OF CHARGE: Misbranding, Section 502 (a), the directions on the bottle label were false and misleading since they represented and suggested that the article when taken as directed would supply a significant amount of acidophilus organisms, whereas it would not supply a significant amount of such organisms when taken as directed; and, further, certain statements in the booklet accompanying the article were false and misleading. These statements represented and suggested that the article would be effective for controlling conditions in the intestines, be conducive to longevity, and be effective to accomplish great improvement in health, whereas it would not be effective for such purposes.

DISPOSITION: September 18, 1946. Default decree of condemnation and destruction.

2177. Misbranding of Acidofilac. U. S. v. 81 Bottles * * * and a number of circulars. (F. D. C. No. 21679. Sample No. 59465-H.)

LIBEL FILED: November 26, 1946, Western District of Washington.

ALLEGED SHIPMENT: On or about October 1, 1946, by the Radiance Products Company, from Los Angeles, Calif.

PRODUCT: 81 pint bottles of *Acidofilac* and a number of circulars entitled "Fight The Invisible Foe in Your Intestine" at Seattle, Wash. Examination showed that the product contained two strains of viable lactobacilli.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements appearing in the labeling of the article were false and misleading since they represented and suggested that the use of *Acidofilac* would be effective to control and overcome unfriendly bacteria, kill the putrefactive bacteria in the intestines and prolong life, and affect the general health. The use of *Acidofilac* would not be effective for such purposes.

DISPOSITION: February 11, 1947. No claimant having appeared, judgment of condemnation was entered and the product and circulars were ordered destroyed.

2178. Misbranding of Prostall. U. S. v. 22 Bottles * * *. (F. D. C. No. 22616. Sample No. 63119-H.)

LIBEL FILED: March 11, 1947, Northern District of California.

ALLEGED SHIPMENT: On or about February 3, 1947, by Douglas Laboratories, from Boston, Mass.

PRODUCT: 22 100-capsule bottles of *Prostall* at San Francisco, Calif.. Analysis showed that the product consisted essentially of glutamic acid.

NATURE OF CHARGE: Misbranding, Section 502 (a), the label statements "Prostall 'stalls off pain,' relieves the symptoms of prostate hypertrophy (pros-

titis). Relief starts in a few days and improvement continues thereafter. Prostall permanently relieves some cases. However, it is primarily a pain-reducer in time" were false and misleading since the article would not be effective in the relief of pain in prostate hypertrophy.

Further misbranding, Section 502 (e) (1), the label of the article failed to bear the common or usual name of the drug.

DISPOSITION: April 29, 1947. Default decree of condemnation and destruction.

2179. Misbranding of Apiphene. U. S. v. 48 Dozen Jars * * *. (F. D. C. No. 22236. Sample No. 64717-H.)

LIBEL FILED: February 5, 1947, Southern District of New York.

ALLEGED SHIPMENT: Between the approximate dates of September 25 and December 2, 1946, by the Hatfield Laboratories, from Tucson, Ariz.

PRODUCT: 48 dozen jars of *Apiphene* at New York, N. Y. Examination showed that the product consisted essentially of beeswax mixed with some honey.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the label of the article and in circulars entitled "Information on Apiphene Homogenized Comb Honey" and "Information on Apiphene Summary of Research," shipped with the article, were false and misleading since they represented and suggested that the article would be effective in the treatment and prevention of hay fever, sinusitis, asthma, catarrhal deafness, chronic and common colds, and other disorders of the respiratory tract; that it would be effective in promoting an easy rising of the sputum in cases of tuberculosis; and that it would be effective to benefit the respiratory tract, glands of the head and throat, general mucosa, and the glands which control the mucosa of the entire respiratory tract. The article would not be effective for such purposes.

DISPOSITION: June 2, 1947. Hettie Hamper, New York, N. Y., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Federal Security Agency.

2180. Misbranding of Boncquet Tablets. U. S. v. 31 Bottles * * * and a number of circulars. (F. D. C. No. 19735. Sample No. 23395-H.)

LIBEL FILED: May 1, 1946, Eastern District of Missouri.

ALLEGED SHIPMENT: On or about February 16, 1946, by Boncquet Laboratories, from Glendale, Calif.

PRODUCT: 22 75-tablet bottles and 9 200-tablet bottles of *Boncquet Tablets* and a number of circulars entitled "Good News for Tired, Head-Achy Run-Down Men and Women."

LABEL, IN PART: "Boncquet (Bon-Kay) Tablets * * * Vitamin B Complex with Iron and Vitamin A, C, and D."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements and designs in the circular which accompanied the article were false and misleading since they represented and suggested that the article would be effective to provide substances in the formation of blood which are not readily available from common foods; that it would be effective to insure vitality and buoyant health; that it would be effective in the treatment and prevention of tiredness, nervousness, headaches, pains, colds, infections, tooth decay, poor vision, debility, eye troubles, muscular weakness, abnormal changes in the structure of body cells, poor appetite, constipation, flatulence, dyspepsia, lack of stamina, loss of weight, poor hearing, skin disorders, pyorrhea, poor wound healing, digestive disturbances, pneumonia, and baldness; that widespread dietary deficiencies exist in the ingredients supplied by the article; that the ordinary individual can obtain adequate quantities of vitamins and minerals only by exercising extreme care in the selection of diets; and that foods in general are unsatisfactory sources of essential nutrients, and therefore the use of the product would be almost essential. The article would not be effective for those purposes; widespread dietary deficiencies do not exist in the ingredients supplied by the article; the regular diet of ordinary individuals supplies adequate quantities of vitamins and minerals; and foods in general are satisfactory sources of essential nutrients, and the use of the article would therefore not be essential.